

U.S. DISTRICT COURT of the STATE OF NEW YORK
COUNTY OF SOUTHERN, NEW YORK

Y
Index # 08 CIV 4566
Date Index # Filed 05/16/08

Plaintiff(s)

JAMAL R. WASHINGTON, AS ADMINISTRATOR OF THE ESTATE OF
FRANCES DELANCEY WASHINGTON, ET AL

- against -

AFFIDAVIT

Katz & Kreinces, Llp
170 Old Country Rd, #316
Mineola, NY 11501

Defendant(s)

NATIONAL FREIGHT INC., AND JOSEPH M. BOOR, JR.,

Court Date:

Your File No: RM 13706

Our Rec. No: 294190

STATE OF NEW YORK: COUNTY OF NASSAU: ss:

Bill Wittenhagen, being duly sworn deposes and says:

That on 06/10/08 at 1:30PM deponent personally delivered to and left with BEVERLY SMITH whom deponent knew to be a clerk duly authorized to accept service of process for and on behalf of the Secretary of the State of New York, a true copy of the SUMMONS & VERIFIED COMPLAINT & JURY DEMAND in the above entitled action, together with the fee of \$10.00, as a service upon JOSEPH M. BOOR, JR., one of the defendants in this action; that such service was made at a regularly established office of the Secretary of State of New York, C/O SEC. OF STATE, VTL 253 ***** pursuant to Section 253/254 of the Vehicle and Traffic Laws of the State of New York. Forthwith, following service of said process, upon the Secretary of State as aforesaid, deponent duly sent, by certified mail and return receipt requested, a notice of such service and a true copy of the SUMMONS & VERIFIED COMPLAINT & JU herein to the defendant, by enclosing the same in a securely sealed wrapper, addressed to said defendant at 2132 RAYSTOWN ROAD EVERETT. PA 15537 by placing sufficient postage, duly certified the same with due request for return receipt requested, and personally leaving the same at the United States Postal Service in the State of New York for transmittal in the mail on 06/17/08. CERTIFIED MAIL #7007 3020 0003 2027 0234 *****HAUPPAUGE, NY 11788***** WEARS GLASSES.....

A description of the recipient or other person served on behalf of the recipient is as follows:
Approximate Age: 49 Approximate Weight: 149 Approximate Height: 5'6
Color of Skin: BLACK Color of Hair: BLACK Sex: FEMALE

Deponent asked the person spoken to whether the defendant was presently in the military service of the United States Government or on active duty in the military service in the State of New York and was informed he was not. Your deponent further says that he knew the person so served to be the person mentioned and described in said legal papers as defendant/respondent therein. Your deponent is over the age of 18 years and is not a party to this action.

Sworn to before me this date 06/17/08
Bruce J Smilowitz #01SM4965926
Notary Public, State of New York
Nassau County, Commission Expires 04/30/2010

Bill Wittenhagen